



Entered on Docket
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To
Unallocated Amounts of Proofs Of Claim**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Unallocated Amounts of Proofs Of Claim ("Unallocated Amount") [DE 8699] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

IT IS ORDERED that:

1. The Objection [DE 8699] is sustained;

1 2. The Proofs of Claim listed on **Exhibit A** attached are disallowed to the
2 extent the amount of the claim as stated on the face of proof of claim exceeds the amount
3 of the claim supported by the documentation provided with the proof of claim, i.e., the
4 Unallocated Amount as shown on **Exhibit A** attached; and

5 3. This order concerns only the Unallocated Amount of the claim and not any
6 other claim of the claimants.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust
Unallocated Amounts Of Proofs Of Claim
Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because The Trust Could Not Allocate Amount to a Specific Direct Lender Loan
10725-02038	1/11/2007	Collins Family Trust Dated 1/29/93	C/O Shirley M Collins Trustee 1975 Snowberry Ct Carlsbad, CA 92009-8408	1,760,380.48	12,549.05
10725-01725	12/11/2006	Cowman, Robert A & Sandra L	1525 Winterwood Ave Sparks, NV 89434-6730	162,950.00	12,950.00
10725-01919	1/10/2007	Cynthia G Davis Living Trust	C/O Cynthia G Davis Trustee 2465 Telluride Dr Reno, NV 89511-9155	202,986.12	1,493.06
10725-02035	1/11/2007	Daniel, Deborah A	249 S Vista Del Monte Anaheim, CA 92807	404,753.90	2,376.95
10725-02045	1/11/2007	Dar Living Trust Dtd 2/12/03	Darlene Hammond Ttee 308 La Rue Ct Las Vegas, NV 89145	329,377.00	2,446.69
10725-02334	1/13/2007	Davis Family Trust	C/O Joseph Davis & Marion Sharp Co-Trustees 3100 Ashby Ave Las Vegas, NV 89102-1908	1,500,000.00	147,057.95
10725-02333	1/13/2007	Davis Investments	20 Leroy Terrace New Haven, CT 06512	2,000,000.00	117,714.31
10725-02330	1/13/2007	Davis, Todd	360 W 55Th St Apt 1G New York, NY 10019	1,150,000.00	129,115.90
10725-02062	1/11/2007	Dery Tenants In Common, Ann R & James D	10 Longmeadow Ln Beachwood, OH 44122	303,615.18	1,807.59
10725-01921	1/10/2007	Dobyne Living Trust	Robert S & Leah K Dobyne Ttees 3416 Cantura Bluff Ave North Las Vegas, NV 89031-3577	474,358.44	87,179.22

EXHIBIT A

2424558.1